

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION

UNITED STATES OF AMERICA,)	CIVIL ACTION NO. 9:05-00520-PMD
)	
Plaintiff,)	
)	
vs.)	
)	ORDER TO VACATE THE DECREE OF
CHARLES WALLACE, JR. and)	FORECLOSURE AND SALE, ENTRY OF
EMMA LOUISE WALLACE,)	DEFAULT, AND ORDER OF
)	ABSTENTION
Defendants.)	

Plaintiff has moved the Court for an Order to Vacate the Decree of Foreclosure and Sale, Entry of Default, and for an Order of Abstention. It appears that the defendants, Charles Wallace, Jr. and Emma Louise Wallace, filed a Chapter 13 Bankruptcy Petition on June 30, 2005, and Plaintiff was unaware of the filing.

WHEREFORE, on motion of Plaintiff, United States of America, made pursuant to Rule 60(b)(6), and for good cause shown,

IT IS ORDERED that the Decree of Foreclosure and Sale filed against Defendants Charles Wallace, Jr. and Emma Louise Wallace is hereby vacated.

IT IS FURTHER ORDERED, that the entry of default filed against Charles Wallace, Jr. and Emma Louise Wallace be vacated, and that the proceedings in the above-captioned action be, and they are hereby, statistically stayed, pending conclusion of the proceedings in the United States Bankruptcy Court. This Court retains jurisdiction in this matter, and, upon request by either party, this case will be restored to its rightful and proper place on the trial roster at that time.

AND IT IS SO ORDERED.


PATRICK MICHAEL DUFFY
United States District Judge

Charleston, South Carolina
July 21, 2005